<div align="center">**REMARKS**</div>

Claims 1-5, 8-16, 19-28 and 31-35 are in the application. Claims 1, 12, 23, and 33 have been amended. No new matter has been added.

<div align="center">*Rejection under 35 U.S.C. § 103*</div>

All of the claims are rejected under 35 U.S.C. § 103(a) as being unpatentable over Morrow (US2004/0054952 "Morrow") in view of Sarbin (5,179,517 "Sarbin"), both of record. Reconsideration and withdrawal of this rejection are respectfully requested.

The examiner describes Morrow as purporting to show the elements of the present claims except for a controller programmed to allow a person to make a wager; programmed to cause a video image representing a casino game to be played; and programmed to determine a value payout associated with the outcome of the game.

The examiner further states that Sarbin discloses a gaming machine comprising a data transfer system that operates "by collecting data (such as game machine malfunction data) from game machines and transferring said data to a portable memory medium such as a smart card."

This rejection is respectfully traversed and withdrawal thereof is respectfully requested. Claims 1, 12, 23, and 33 have been amended to indicate that the controller must be programmed to transfer from a transferable portion of the memory operatively coupled to the processor to a removable storage memory selected crash data such that the data comprises selected data regarding the gaming apparatus resulting from a gaming apparatus failure collected for diagnosing gaming apparatus failure, including at least one of operating system failure, application software failure, mechanical failure and electrical failure. The claims also recite that the removable storage memory is different from the memory operatively coupled to the processor, and that the gaming apparatus is operable when the removable storage memory is removed from the gaming apparatus.

While Morrow discloses storage devices 80 and 90, neither of these storage devices meets all the requirements of the present claims. The removable storage device 80 contains only update files 82 and may optionally contain verification software 70. See, [0040] in Morrow. The update files 82 are files that are used to replace any obsolete or corrupted files in the gaming apparatus when a

verification process is performed. Verification is a matching process for matching identification numbers of the components in the database as described in [0009] through [0011] in Morrow. The examiner states that in Morrow storage of recorded logs on any persistent memory performs equally well. The examiner concludes that it would involve only routine skill in the art to store the log on any of the persistent memories disclosed in Morrow. However, storing indiscriminate choices of data on any available persistent memory in Morrow's apparatus is not applicant's invention. Moreover, there is no suggestion or reason why, taking the teachings of Morrow, one would store selected data as recited in the present claims on a device such as 90, which cannot be removed from Morrow's device without making Morrow's device inoperable, and then transfer selected data from 90 to device 80. One does not even know if there is a transferable portion on device 90. In any case, the examiner bases his logic on the fact that any data can be stored on any persistent memory. That being the cases, it is patently unobvious to store data on a persistent memory unnecessarily just to have to later transfer it to another device. In Morrow par. [58], it is taught to record selected system events on persistent storage devices 90 or 490. Storage device 90 cannot be removed without making the apparatus inoperable since it contains software programs and operating system files. Media 490 is in a remote server, not in the gaming apparatus. So why would one of ordinary skill in the art modify this, in the face of what Morrow teaches, to take selected data out of memories 90 and/or 490 and transfer them to removable memory 80? It is submitted that one of ordinary skill in the art would not be led to do this *in absence of applicant's teaching of the advantages of the present invention.* Furthermore, why, among the myriad of system events available to record, would one select to move to memory 80 crash data regarding that gaming apparatus resulting from a gaming apparatus failure for diagnosing gaming apparatus failure, including at least one of operating system failure, application software failure, mechanical failure and electrical failure *in absence of applicant's teaching of the advantages of the present invention?* It is submitted that one of ordinary skill would not make such a selection without the teaching of applicant's invention. It is submitted that the examiner's argument leads one to the conclusion that one of ordinary skill in the art at the time the invention was made, upon reading Morrow, would be led to store the data on device 90 and leave it there.

Regarding Sarbin, it is directed to use of a carried data unit to be used in a gaming machine. Sarbin describes a player carried data unit (Fig. 5) and an employee carried data unit (Figs 6 and 7). The employee carried data unit, such as a smart card, is inserted into the gaming machine, for example, to receive gaming machine identification with dated machine information, or play and status data (Fig. 6) that can be then used as input to a central data system. All of the data uploaded from the gaming machine to the smart card, other than time and machine ID, is characterized as the "number of" times an identified event occurred. See Col. 8, lines 40-67. This is statistics collection.

But applicant's invention involves not merely statistics collection. Why, among the myriad of events and data available to record, would one select to move to a smart card crash data regarding that gaming apparatus resulting from a gaming apparatus failure for diagnosing gaming apparatus failure, including at least one of operating system failure, application software failure, mechanical failure and electrical failure *in absence of applicant's teaching of the advantages of the present invention?* It is submitted that one of ordinary skill would not make such a selection without the teaching of applicant's invention. For at least these reasons, it is submitted that the claims are patentable and that the application is in condition for allowance.

Respectfully submitted,
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